



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Pamela M. Drake et al.  
Application No. : 10/763,570  
Filed : January 23, 2004  
For : COMPOSITIONS AND METHODS FOR RESTORING  
BACTERIAL FLORA

Examiner : Lora Elizabeth Barnhart  
Art Unit : 1651  
Docket No. : 340082.401  
Date : July 27, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT AND  
RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

In response to the Restriction Requirement dated May 10, 2005, please extend the period of time for response two months, to expire on August 10, 2005. Enclosed are a Petition for an Extension of Time and the requisite fee. In response to the Restriction Requirement dated May 10, 2005, Applicants hereby elect Group I, claims 1-8 and 11, drawn to a kit comprising bacteria, a bacterial nutrient, and an antimicrobial agent, and elect the following species, for bacteria components Applicants elect species (c) (i.e., the bacteria listed in claim 7); for the nutrient component Applicants elect Bacterial Nutrient (r) fructooligosaccharides for examination at this time.

Claims 3 and 6 have been cancelled as they no longer read-on the species chosen for prosecution. Claims 1, 2, 4, 5, 7, 8, and 11 are readable on the elected groups and species.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.